

REMARKS

I. STATUS OF THE CLAIMS

Claims 1-13 are pending in the Application. Claims 7 and 8 have been cancelled in a previous amendment. Claims 1, 2, 4-6, 11-13 have been amended by the present amendment. Claims 9 and 12 have been cancelled without prejudice or disclaimer of subject matter therein. New Claim 14 has been added.

Claims 1, 3-4, 6, 9-13 were rejected in the Office Action under 35 U.S.C. § 103(a) (hereinafter, "Section 103(a)") as being obvious and unpatentable over Aravamudan et al. (U.S. Pat. No. 6,301,609, hereinafter, "Aravamudan") in view of Fuchigami (U.S. Pat. No. 6,393,463, hereinafter, "Fuchigami").

Claims 2 and 5 were rejected under 35 U.S.C. § 103(a) as being obvious and unpatentable over Aravamudan in view of McDowell et al. (U.S. Pub. No. 2001/0034224, hereinafter, "McDowell").

Applicant respectfully traverses all rejections and requests reconsideration.

A. REJECTION OF CLAIMS 1, 3-4, 6, 9-13 UNDER SECTION 103(a)

Claims 1, 3-4, 6, and 9-13 were rejected under Section 103(a) as being obvious over Aravamudan in view of Fuchigami. Applicant respectfully traverses Examiner's rejections as explained below.

The claims have been amended as shown above. In particular, amended claim 1 recites the limitations that the client types include "a plurality of computer network interfaced client types" and "each of said account is identified by a unique identification number being based on the unique mobile phone telephone number, and wherein said IM server records

each said unique identifier of each client type of said client matched against said unique identification number of said client;”. Furthermore, amended claim 1 recites “wherein said client with a mobile phone is able, through said IM server, to send to or receive from any client type of another client a message, and the another client is identified in said client’s mobile phone in relation to the message by the unique identification number.” The other independent claims have been similarly amended to recite these limitations.

A prima facie case of obviousness is not shown using Aravamudan and Fuchigami for at least the reasons stated below.

Amended Claim 1

Aravamudan does not teach, either expressly or inherently, each and every element of amended claim 1. Particularly, claim 1 has been amended to particularly claim an instant messaging system “interfaced with a mobile phone network”. Aravamudan fails to teach such limitation and the claim as a whole. Aravamudan does not anywhere disclose that “**each client having a single account** on said IM server for all of its client types... wherein each of said account is identified by a unique identification number being **based on the unique mobile phone telephone number**” (emphasis added). Aravamudan simply does not teach this element of each account identified by a UIN “based on the unique mobile phone telephone number”.

Neither does Aravamudan disclose that the “IM server records each said unique identifier of each client type of said client **matched against said unique identification number of said client**”, again, which is based on the unique mobile phone telephone number. Further, neither does Aravamudan teach “wherein said client with a mobile phone is able, through said IM server, to send to or receive from any client type of another client a message,

and the another client is identified in said client's mobile phone in relation to the message by the unique identification number." As such, Aravamudan does not teach all the limitations found in claim 1.

Furthermore, Aravamudan in view of Fuchigami do not teach, either expressly or inherently, each and every element of claim 1. Amended claim 1 states that "each client having a single account on said IM server **for all of its client types**". As noted by Examiner on page 4 of the Office Action, "Fuchigami teaches plurality of different user using a single account that is common to all (col. 1, lines 39-col.2, lines 11 and col.2, lines 19-27)."

Applicant respectfully does not see how this reads upon the Applicant's claims which states that the single account is for the client's own client types. Fuchigami teaches different users using a single account, which is not the same as a client's client types. Different users in Fuchigami are not "client types" as defined by the Applicant's claims.

Fuchigami further, does not provide the deficiencies of Aravamudan, such as "each of said account is identified by a unique identification number being based on the unique mobile phone telephone number, and wherein said IM server records each said unique identifier of each client type of said client matched against said unique identification number of said client". Neither does Fuchigami teach the limitation that "wherein said client with a mobile phone is able, through said IM server, to send to or receive from any client type of another client a message, and the another client is identified in said client's mobile phone in relation to the message by the unique identification number." As such, Fuchigami in combination with Aravamudan, do not teach all the limitations of amended claim 1.

Amended Claim 6

Neither are all the similar limitations found in amended claim 6 taught by Aravamudan in view of Fuchigami. In particular, Aravamudan fails to teach the method limitations of “providing a single account on the IM server for each client in respect of all of its client types that can access the IM server”; “identifying the account by a unique identification number **that is based on the unique mobile phone telephone number**” and “**recording in said IM server** each unique identifier of each client type of that client matched against said unique identification number thereof;” and “wherein said client with a mobile phone is able, through said IM server, to send to or receive from any client type of another client a message, and the another client is identified in said client’s mobile phone in relation to the message by the unique identification number.” As such, Aravamudan does not anticipate the limitations of claim 6. Furthermore, as discussed above with regards to claim 1, because Fuchigami only teaches a method for creating private subaccounts under a single email account, Fuchigami fails to teach or suggest “providing a single account on the IM server for each client in respect of all of its client types that can access the IM server”, as claimed in claim 6.

Dependent claims

Claims 3-4 depend upon and incorporate all limitations of Claim 1. Therefore, Aravamudan in light of Fuchigami fail to teach or suggest ALL claim limitations of claims 1 and 6, as required to establish a prima facie case of obviousness. For the above reasons, Applicant respectfully requests withdrawal of the rejection of Claims 1, 3-4 and 6 under Section 103(a) based on Aravamudan in view of Fuchigami.

Claims 9-13

Claims 9-13 were rejected under Section 103(a) as being obvious and unpatentable over Aravamudan in view of Fuchigami. The Examiner stated that “[a]s per claims 9-13, these claims have similar limitations as claims 1 and 3 combined. Therefore, they are rejected with the same rationale.” (Office Action, page 9). As discussed above in regards to amended claim 1, Aravamudan and Fuchigami do not include all of the claim limitations required to establish a prima facie case of obviousness. Claims 9 and 12 have been cancelled. As such, Applicant respectfully submits that claims 10-13 are all allowable for at least the same reasons as amended claim 1, as discussed above.

Accordingly, Applicant respectfully requests withdrawal of the rejections of Claims 9-13 under Section 103(a).

B. REJECTION OF CLAIMS 2 AND 5 UNDER SECTION 103(a)

Claims 2 and 5 were rejected under Section 103(a) as being obvious and unpatentable over Aravamudan in view of McDowell.

Claims 2 and 5 are Dependent on Amended Claim 1

Claims 2 and 5 are dependent upon amended claim 1. Therefore, if at least one of the three criteria to establish a prima facie case of obviousness is not present for amended claim 1, dependent claims 2 and 5 would be allowable. Applicant requires in claims 2 and 5, by virtue of claim 1 the limitations of “each of said account is identified by a unique identification number being based on the unique mobile phone telephone number” and

“wherein said client with a mobile phone is able, through said IM server, to send to or receive from any client type of another client a message, and the another client is identified in said client’s mobile phone in relation to the message by the unique identification number.”

With respect to Aravamudan and McDowell, none of the references teach or suggest all the claim limitations of Applicant’s claim 1. Aravamudan fails to teach the limitations as discussed above with respect to “a single account ...identified by a unique identification number being based on the unique mobile phone telephone number” and neither does McDowell provide for the deficiencies. The references when combined, fail to teach or suggest all the claim limitations of claim 1.

Therefore, Aravamudan in light of McDowell fail to teach or suggest ALL claim limitations as required to establish a prima facie case of obviousness. Applicant respectfully requests withdrawal of the rejections of Claims 2 and 5 under Section 103(a).

Furthermore, dependent claims 2 and 5 include all limitations of their respective base claim 1. The deficiencies of Aravamudan and McDowell have been discussed above in connection with claim 1. Accordingly, Applicant respectfully submits that these dependent claims are all allowable for at least the same reasons as claim 1, as discussed above. Moreover, Applicant respectfully submits that these dependent claims are further allowable for the limitations that they themselves recite.

Accordingly, Applicant respectfully requests withdrawal of the rejections of Claims 2 and 5 under Section 103(a).

New Claim


New claim 14 is dependent upon amended claim 1 and is therefore believed to be allowable for at least the same reasons as amended claim 1. Support for claim 14 is also found on page 15, beginning on line 22 of the specifications as filed. Accordingly, Applicant respectfully requests allowance of claim 14.

II. CONCLUSION

The remarks discussed above are believed to place the present Application in condition for allowance. Should the Examiner have any questions regarding the above remarks, the Examiner is requested to telephone Applicant's representative at the number listed below.

Respectfully submitted,

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